

Commercial Advertiser

WALTER G. SMITH - EDITOR

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Colonel Pope, of bicycle fame, recently said that the first essential to business success is "advertising"; that the second essential was "big advertising"; and the third, "bigger advertising."

MR. HATCH IN EVIDENCE.

When the Advertiser said that Mr. Hatch had gone to Washington to try and induce Congress to ratify the County Act, the statement was met by a chorus of denials. The Star said, for example:

Mr. Hatch has not gone to Washington upon any mission for the government, he has gone at the request of certain Republicans who want to have information upon the matter of status of the County Act. The position of the Territory if the County Act should be constantly and persistently attacked in the courts would be very unfortunate indeed. It might not produce a condition of chaos but it would certainly produce an immense amount of friction. All the light that we can get should be thrown upon it. . . . Every article of information which will assist in strengthening the act should be obtained. There is, therefore, a very cogent reason why honest Republicans should have put up the money for Mr. Hatch's visit to Washington, in order to find out what could be done there, in the event of such action being required. It is but keeping the party pledges made at last election.

The Bulletin of Dec. 7, said:

"A great many people have exploded half-cock on the Hatch mission. The furor is doubtless due to a suspicion aroused by various missions on various questions that have had greater elements of privacy. Mr. Hatch CAN DO NOTHING MORE THAN STUDY POSSIBILITIES AND PROBABLE PRACTICAL COURSES OF ACTION."

In his letter to the Town Meeting the Governor said:

"It was arranged for Mr. Hatch to go on at once, to confer with our delegate, to sound the chairmen of important committees and to cable back what, if anything, could be done."

Last evening's papers announced that Mr. Hatch had arrived in Washington and that the Delegate had introduced a bill RATIFYING HAWAII'S COUNTY LAW. Instead of "studying possibilities" and reporting on them, Mr. Hatch acted like a man who had been sent to secure legislation and meant to do it. He is said to have carried a bill with him, doubtless the same one which Delegate Kuhio has introduced; a bill which has never been submitted to the people who must live under the County Act and which may become a law without their precise knowledge of its terms.

We put the questions: Is this proceeding fair to the electors and taxpayers of Hawaii? Has it been open and above-board?

THE MACARTHUR AFFAIR.

Owing to conflicting rumors it is due the public to say that the notes of Colonel Jones's interview with Major General MacArthur came legitimately into the hands of this paper. They were embraced in a written argument for an armory as a means of building up the Hawaiian National Guard and were handed by the Governor to Mr. Logan, the court and department reporter of the Advertiser, on the occasion of Mr. Logan's daily call at the Executive offices. Mr. Logan asked permission to take them to the editorial office for copying but Governor Carter declined to let them go saying that Mr. Logan might "take from them what he desired." Since the publication of these notes the Governor informs the Advertiser that he gave the manuscript to the reporter that he might take something from it about armories, though it appears that he did not specifically request Mr. Logan to take nothing else nor did he mention the need or propriety of leaving out of print any portions of the document in hand. Mr. Logan found the whole paper interesting and all of it bearing upon the need of putting the National Guard on an efficient basis; and he chose such parts of the manuscript as, with his trained newspaper instinct, he knew to be most important and interesting to the public whom it is the Advertiser's business to serve. The conspicuous result has been to apprise the people of the United States of a most important military conclusion which will, we profoundly hope, so influence Congress as to lead to a better understanding with Germany and the establishment of closer relations with that great power. If, as General MacArthur says, the Monroe doctrine is likely to visit the American people with the pains and penalties of a gigantic war, it is time for the people to consider whether the doctrine is worth what it may cost in blood and gold. Anything that will arouse them to the danger now prophesied is a public service; and for these reasons the Advertiser is not

THE COMMITTEE RESOLUTIONS.

The committee appointed to formulate resolutions concerning the county act, to present at tonight's adjourned meeting, has very properly published beforehand the resolutions which they propose to present.

They are, in substance, as follows:

1. That we advocate an immediate test case before the Supreme Court;
2. That we request the Bar Association to prepare such test case;
3. That if the court declares the act invalid, we advocate the immediate calling of the legislature to enact a proper county law;
4. That a copy of these resolutions be sent to the Governor and the Bar Association.

The meat of these resolutions is in numbers one and three.

The Advertiser heartily endorses resolution number 1.

There is nothing so disquieting as uncertainty. It is in the interests of all to know whether the act is valid or invalid. This can be known only by securing a decision from the Supreme Court. It has been assumed that because the Supreme Court has held one part of the act invalid, therefore it will hold the remainder invalid also. This does not by any means follow. In fact an inspection of the act by competent attorneys has convinced them that the court will hold the act, as a whole, good.

It is said that no matter what the decision of the court is, a writ of error can be brought which will carry the case up to the U. S. Supreme Court.

This may be true. The same will be true of any future County act passed by the local legislature and of any confirmative act passed by Congress.

It is impossible to prevent an attack on any legislative act and idle to talk about it.

As to appealing to Washington, there is very little likelihood thereof. Appeals are expensive, and no one here is in a position to spend money on an appeal for fun.

The Territorial Supreme Court is competent to give a decision that will carry conviction, and the strong probability is that its decision will be accepted as final.

As to resolution number 3, the Advertiser can conceive of no course more ill advised.

The County act itself provides—and it would be the law without such provision—that if it is void, all the laws which it attempts to repeal are still in existence.

The Organic Act provides that if the necessary appropriations are not provided by the legislature, the previous appropriation bill continues in force.

There will therefore be no hiatus in either law or appropriations. Everything will go on as though no county bill had been passed.

The Territory cannot afford the luxury of another session of the voucher scandal Legislature. If it were the best Legislature ever elected, its act can be contested as easily as the present one, and uncertainty and doubt will still prevail, while a vast sum of money will have been expended from the already depleted treasury.

Moreover, the Legislature cannot be confined to legislation on the county act. Once in session it can take up any subject it chooses and perpetrate all over again the jobs, steals and extravagances that are its delight.

Hawaii wants no extra session of the Legislature for any purpose.

ungrateful for the opportunity which has been given it to show how near to the nation a warlike crisis has come and to arouse the popular conscience to meet it.

As to the part taken by Governor Carter in this matter it is but justice to him to say that he did not knowingly give the press any knowledge of General MacArthur's views; that in all likelihood he had not yet read the document or, if he had, did not recognize it as part of the written matter turned over to the Advertiser's reporter. Our view of the affair is that he thought the manuscript was a mere plea for a new armory and let it go at that. If publication has embarrassed him, that is a thing to deplore; but if it serves to bring on an understanding with Germany that will save these islands from becoming, one day, the focal point of a Pacific war, he will have done his countrymen a service which he nor they will ever have occasion to regret.

Don't let anybody run the Town meeting for you tonight. Run it yourself.

THE ARMORY SITE

[The Official and Commercial Record.]

The best possible site for the National Guard Armory is right where it is now located. The armory was located there long before annexation, and has been there ever since. The only possible reason for removing it therefrom is that the lot on which it is located was, just prior to the passage of the Organic Act, reserved by President McKinley as a War Department Reservation. This was done at the suggestion of the officer in charge at Honolulu, without the knowledge or approval of the government or people at Honolulu.

This action should never have been taken.

The site in question was ostensibly reserved for quartermasters purposes. It is entirely unsuited therefore. It is nearly half a mile from the wharves where all supplies must come from, and there were other locations reserved near the wharf which were much better for this use.

The buildings on the Armory site were built and paid for by the people of the Territory.

They constitute the sole and only accommodations for the local militia.

It is only through the suzerainty of the successive army commanders stationed at Honolulu that the National Guard of Hawaii has not been turned into the street. It has repeatedly been intimated that such course might be taken. This position has been most humiliating and irritating to the National Guard.

The military authorities of the United States are extremely desirous that a strong militia force shall be maintained at Honolulu, for national purposes.

Nothing better calculated to discourage the local militia can be imagined than the confiscation of their armory which was done without their consent and without any necessity to warrant it.

The attempt now being made by Governor Carter to secure the return of the Armory site is most praiseworthy. It will be not only an act of justice, but one more calculated than

any other to promote interest in the local national guard.

The favorable reception given the suggestion, by General MacArthur, gives reason to hope that early action may be looked for.

TAXPAYER WOULD STOP A LEAK

Editor Advertiser: Being a taxpayer and as such in favor of an economic administration, more so as our treasury is not in a too flourishing condition and necessary public improvements are retarded on all sides by the lack of funds, I consider it fair and just that delinquent taxpayers should be made to pay their taxes, and no partiality or leniency shown to any one, except in stringent cases for good and sufficient reasons, and thus made to contribute their pro rata to the sustenance of the government.

These are evidently the views of our tax collector, judging from the number of suits daily filed in our courts against delinquents, chronic and otherwise, a proceeding which meets the full approval of the people, for the money is needed and should be collected, but on the best and cheapest plan, so as to make the yield as large as possible.

If this be done there can be no kick from anyone, but I doubt that such is the case, if the attorney representing the government receives 5 per cent commission on all moneys collected by him, as I am credibly informed, and as the delinquent taxes are said to amount to \$100,000 or even more it will readily be seen that the attorney draws a fee of about \$5000 to \$6000 for about one or two months services, a good enough pay for half a dozen lawyers in these hard times.

It may be argued that not all judgments will realize, but as taxes constitute a preferred claim they must be paid if the person sued has anything at all to pay with, and we all know that taxes, as a rule, are levied on values only.

The Government's attorney in this matter must either rank far above the average in the profession, or have a pull with the government, unknown to the general public, to be entitled to such a snap, for I warrant that for one-half of his remuneration the best lawyer in the Territory will take the job and make good money out of it.

If these matters fall to the duties of the Attorney General, as they undoubtedly do, and he is too busy to give them the necessary attention, why not employ extra office help, for it surely does not require an expert lawyer to fill out summon-blanks and as taxes justly owing cannot be disputed at this date, when they are delinquent, almost any attorney with the slightest legal knowledge, can represent the Government and thus save the Territory several thousand dollars in attorney fees.

It is not in harmony with justice for the Attorney General's or any other department of our government to enrich individuals on the taxes of the people, who, in order to pay, in some instances have to borrow money to avoid being sold out of house and home.

A TAXPAYER.

UNCLE BEN SAID: When you buy a cow get one that gives the most milk—when you buy book-cases get those with finish, style and reputation; such is the globe-wernicke, pearson and potter company.

Dyspepsia

What's the use of a good cook if there's a bad stomach—a stomach too weak properly to digest what is taken into it?

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